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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/875,955	06/07/2001	Maria Azua Himmel	AUS9-2001-0157-US1	8309

7590 12/23/2003

Leslie Van Leeuwen  
International Business Machines Corporation  
Intellectual Property Law Department  
11400 Burnet Road, Internal Zip 4054  
Austin, TX 78758

EXAMINER
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ROSWELL, MICHAEL

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 12/23/2003

3

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/875,955

Applicant(s)

HIMMEL ET AL.

Examiner

Michael Roswell

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 June 2001.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-41 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 07 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All   b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_                      6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Specification***

1. Claims 2, 6, 15, 20, 21, 27, 32, and 38 are objected to because of the following informalities: misspelling of the word "window" as "widow". Appropriate correction is required.
2. Claims 1, 5, 9, 13, 14, 18, 24, 26, 30, 36, 37, and 41 are objected to because of the following informalities: recitation of an improper alternative claim limitation; please replace to read "...enable one of: item 1, item 2... or item x", etc. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 102***

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-5, 9-14, 18-26, 30-37, and 41 are rejected under 35 U.S.C. 102(b) as being anticipated by Bates (U.S. Patent No. 6,157,381).
5. In regards to claims 1, 19, and 31, Bates describe a method for scrolling where a window is generated for displaying information (Column 1, Lines 18-20) and scrolling through the information (Column 1, Lines 28-34). The method enables by user selection (Column 2, Lines 26-39) one of a non-contextual scrolling mode (Column 1, Lines 53-57) and a context-sensitive scrolling mode (Column 2, Lines 22-27).

6. Bates also describe the method as used by an apparatus comprising a processor, display device, user input device, and storage device (Column 4, Lines 59-65). Bates allow for the method to be executed by way of a computer program (Column 5, Lines 7-11).

7. In regards to claims 2, 10, 11, 20-22 and 32-34, Bates disclose a method for scrolling where the information includes a succession of objects and a first portion of information is displayed in a window from top to bottom (Column 2, Lines 39-44). The method of Bates allows for the creation of boundaries (Column 9, Lines 42-49) and the ability of the method to locate the position of the window at the next defined boundary (Column 10, Lines 23-31). Therefore, the method of Bates enables one to define boundaries such that the window can step down to a next position for display of information beginning at the top of a next object after the current bottom-most object, the top of a current bottom-most sub-object, and the top of a next sub-object after a current bottom-most sub-object. Bates have been shown *supra* to disclose the use of such a method on an apparatus comprising a processor, display device, user input device, and storage device, and executed by way of a computer program.

8. In regards to claims 3, 12, 23, and 35 Bates teach a method for scrolling comprising a step for receiving a command for context-sensitive scrolling from a pointing input device (Column 1, Line 16) or a discrete step input device (Column 4,

Lines 64-65).

9. In regards to claims 4, 5, 13, 14, 24-26, 36, and 37, Bates describe a method for scrolling where an input device for discrete step input is a keyboard, keypad, or microphone and the pointing device is a mouse, trackball, light pen, touch screen, track point, or touch pad (Column 4, Lines 64-65).

10. In regards to claims 9, 18, 30, and 41, Bates teach a method for scrolling where the context-sensitive scrolling responds to different parameters (Column 9, Lines 50-53 and 61-62) such as a sentence, paragraph, section, division, chapter, page, hypertext link, row, column, cell, image, pause in sound, verse, stanza, refrain, interlude, movement, chorus, act, scene, commercial, quarter, half, highlight, play, time-out or bookmark. Bates have been shown *supra* to disclose the use of such a method on an apparatus comprising a processor, display device, user input device, and storage device, and executed by way of a computer program.

### ***Claim Rejections - 35 USC § 103***

11. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

12. Claims 6-8, 15-17, 27-29, and 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bates and Knowlton (U.S. Patent No. 5,283,864).

13. In regards to claims 6, 15, 27, and 38, Bates describe a method for scrolling where a window is generated for displaying information and scrolling through the information. The method enables by user selection one of a non-contextual scrolling mode and a context-sensitive scrolling mode. Bates have been shown *supra* to disclose the use of such a method on an apparatus comprising a processor, display device, user input device, and storage device, and executed by way of a computer program.

14. Bates do not teach the use of a pause for display when a window is commanded to step down multiple times through the information.

15. Knowlton does teach the inclusion of a pause in the display of a window.

16. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Bates and Knowlton to obtain a method for scrolling where a window is generated for displaying information and scrolling through the information, where the window pauses after each step of a multiple step down.

17. Motivation for such a combination is given by Knowlton, who states, "in accordance with another aspect of the present invention, a plurality of tabs are removably coupled to desired entities. The tabs may be user definable in dimension, message/pattern design and position on a respective entity. Predetermined pattern designs and/or positions from which a user may select may be employed" (Column 2,

Lines 42-48). The tabs described by Knowlton are analogous to the boundaries described by Bates.

18. In regards to claims 7, 8, 16, 17, 28, 29, 39, and 40, Bates describe a method for scrolling where a window is generated for displaying information and scrolling through the information. The method enables by user selection one of a non-contextual scrolling mode and a context-sensitive scrolling mode. Bates have been shown *supra* to disclose the use of such a method on an apparatus comprising a processor, display device, user input device, and storage device, and executed by way of a computer program.

19. Bates do not teach a method for scrolling where pauses in a multiple step down are more brief for a larger commanded scrolling movement than for a smaller scrolling movement and where pauses are more brief for a faster commanded scrolling movement than for a slower scrolling movement.

20. Knowlton does teach the use of varying pauses in the above situations (Column 20, Lines 51-57).

21. Therefore, it would have been obvious for one of ordinary skill in the art at the time of the invention to combine the teachings of Bates and Knowlton to obtain a method for scrolling where a window is generated for displaying information and scrolling through the information, where window pauses in a multiple step down are more brief for a larger commanded scrolling movement than for a smaller scrolling

movement and where pauses are more brief for a faster commanded scrolling movement than for a slower scrolling movement.

22. Motivation for such a combination is given by Knowlton, who states, "in accordance with another aspect of the present invention, a plurality of tabs are removably coupled to desired entities. The tabs may be user definable in dimension, message/pattern design and position on a respective entity. Predetermined pattern designs and/or positions from which a user may select may be employed" (Column 2, Lines 42-48). The tabs described by Knowlton are analogous to the boundaries described by Bates.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Roswell whose telephone number is 703-305-5914. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on 703-308-3116. The fax phone number for the organization where this application or proceeding is assigned is 703-305-9731.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-306-5484.

Michael Roswell  
December 9, 2003